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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,384	06/19/2006	Hiroyuki Tsukashima	128447	3106

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OLIFF & BERRIDGE, PLC  
P.O. BOX 19928  
ALEXANDRIA, VA 22320

EXAMINER
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TA, THO DAC

ART UNIT	PAPER NUMBER
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2833

MAIL DATE	DELIVERY MODE
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07/17/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/583,384	TSUKASHIMA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tho D. Ta	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/24/07&amp;6/19/06</u> | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

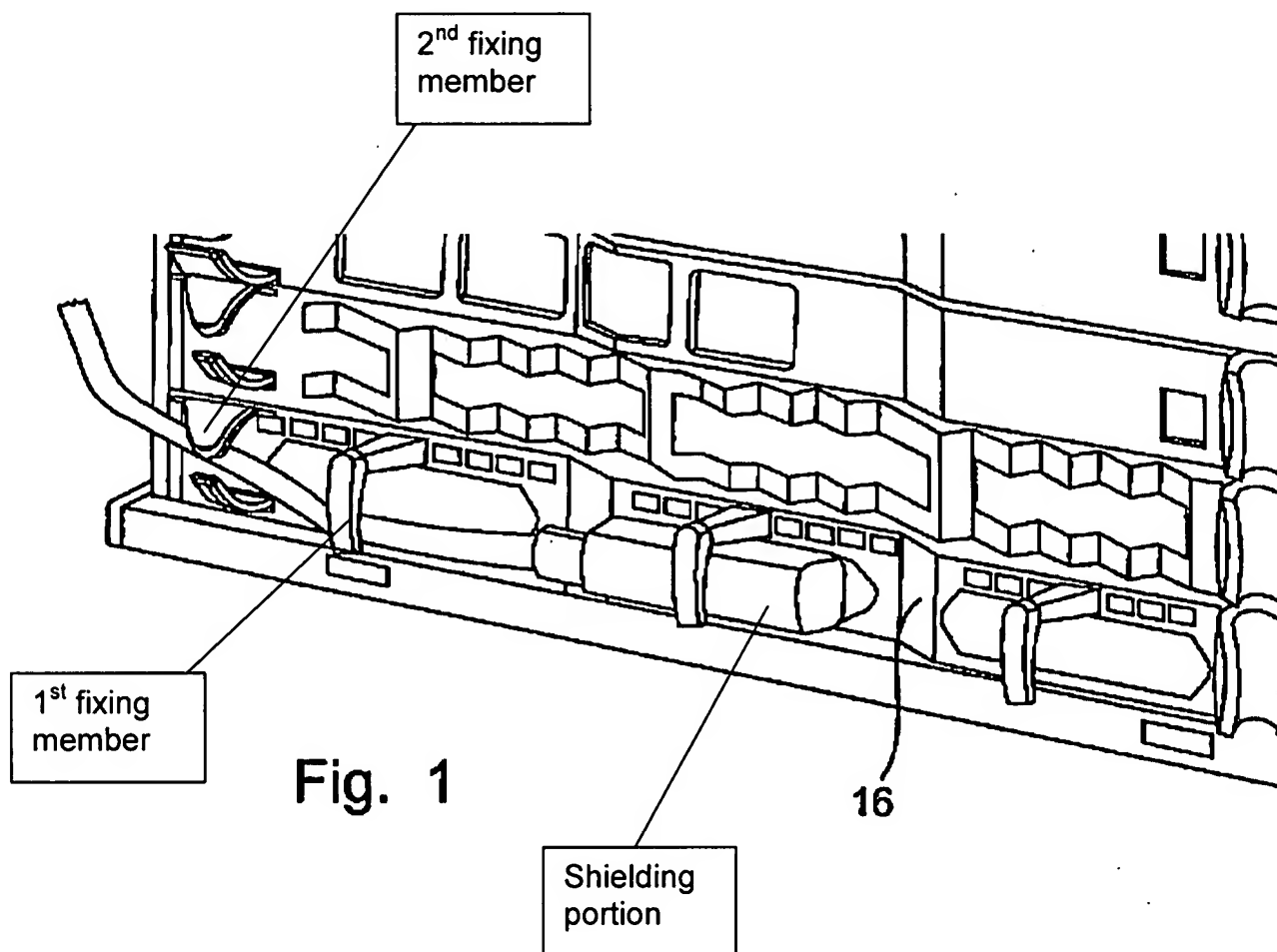
2. Claims 1, 5-9, 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Jacob et al. (5,964,611).

In regard to claim 1, Jacob et al. discloses a connector fixing structure for a second connector 24 to be connected to a first connector 22 provided at a housing 16 accommodating an electrical device, the second connector 24 including a contact point to be connected to a contact of the first connector 22, a cable connected to the contact point, and a shielding portion (see attached drawing) covering the contact point, comprising: a first fixing member (see attached drawing) for fixing the shielding portion to the housing 16 on a side where the contact point is provided; and a second fixing member (see attached drawing) for fixing the cable to the housing 16, on a side where the cable is provided, wherein a fixed state of the cable established by the second fixing member is such a state as to allow for more movement of an object to be fixed than does a fixed state of the shielding portion established by the first fixing member.

The recitation that the electrical device is a vehicle-mounted electrical device has not been given significant patentable weight because it has been held that a preamble is denied the effect of a limitation where the claim is drawn to a structure and the portion

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of the claim following the preamble is a self-contained description of the structure not depending for completeness upon the introductory clause. *Kropa v. Robie*, 88 USPQ 478 (CCPA 1951).



In regard to claim 5, Jacob et al. discloses the second connector 24 is formed to conform to a shape of the housing 16.

In regard to claim 6, Jacob et al. discloses the second connector 24 is formed into an L-shape.

In regard to claim 7, the recitation "vehicle-mounted motor" has not been given a significant patentable weight since it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. Ex parte Masham, 2 USPQ2d 1647 (1987).

In regard to claims 8, 9, 12, 13, 14 Jacob et al. discloses the object to be fixed is the shielding portion.

3. Claims 1, 2, 5, 7-9, 12, 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Barbic (4,424,407).

In regard to claim 1, Barbic discloses a connector fixing structure for a second connector 36 to be connected to a first connector 25 provided at a housing 12 accommodating an electrical device, the second connector 36 including a contact point to be connected to a contact of the first connector 25, a cable 34 connected to the contact point, and a shielding portion covering the contact point, comprising: a first fixing member 38 for fixing the shielding portion to the housing 12 on a side where the contact point is provided; and a second fixing member 33 for fixing the cable 34 to the housing 12, on a side where the cable is provided, wherein a fixed state of the cable

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established by the second fixing member is such a state as to allow for more movement of an object to be fixed than does a fixed state of the shielding portion established by the first fixing member.

The recitation that the electrical device is a vehicle-mounted electrical device has not been given significant patentable weight because it has been held that a preamble is denied the effect of a limitation where the claim is drawn to a structure and the portion of the claim following the preamble is a self-contained description of the structure not depending for completeness upon the introductory clause. *Kropa v. Robie*, 88 USPQ 478 (CCPA 1951).

In regard to claim 2, Barbic discloses the second fixing member 33 is formed to have elasticity by its shape.

In regard to claim 5, Barbic discloses the second connector 36 is formed to conform to a shape of the housing 12.

In regard to claim 7, the recitation "vehicle-mounted motor" has not been given a significant patentable weight since it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

In regard to claims 8, 9, 12, 14 Barbic discloses the object to be fixed is the shielding portion.

4. Claims 1, 4, 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Japan Patent 3-227592.

In regard to claim 1, Japan Patent 3-227592 discloses a connector fixing structure for a second connector 4 to be connected to a first connector 3 provided at a housing 21 accommodating an electrical device, the second connector 4 including a contact point to be connected to a contact of the first connector 3, a cable 2 connected to the contact point, and a shielding portion 42 covering the contact point, comprising: a first fixing member 15 for fixing the shielding portion 42 to the housing 21 on a side where the contact point is provided; and a second fixing member 55 for fixing the cable 2 to the housing 21, on a side where the cable 2 is provided, wherein a fixed state of the cable established by the second fixing member is such a state as to allow for more movement of an object to be fixed than does a fixed state of the shielding portion established by the first fixing member.

The recitation that the electrical device is a vehicle-mounted electrical device has not been given significant patentable weight because it has been held that a preamble is denied the effect of a limitation where the claim is drawn to a structure and the portion of the claim following the preamble is a self-contained description of the structure not depending for completeness upon the introductory clause. *Kropa v. Robie*, 88 USPQ 478 (CCPA 1951).

In regard to claim 4, Japan Patent 3-227592 discloses the second fixing member 55 is integrally formed with the shielding portion 42.

In regard to claim 11, Japan Patent 3-227592 discloses the object to be fixed is the shielding portion 42.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacob et al.

In regard to claim 3, Jacob et al. is silent about the material of the second fixing member.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Jacob et al. by constructing the fixing member of a metal material which is industrial or commercial importance since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious engineering choice. In re Leshin, 125 USPQ 416 (CCPA 1960).



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In regard to claim 10 Jacob et al. discloses the object to be fixed is the shielding portion.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho D. Ta whose telephone number is (571) 272-2014. The examiner can normally be reached on M-F (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

tdt  
07/11/07

  
**THO D. TA**  
**PRIMARY EXAMINER**